

We have held that the State may deny to corporations the right to practice, insisting upon the personal obligations of individuals . . . , and that it may prohibit advertising that tends to mislead the public in this respect. . . .

Recognizing State power as to such matters, appellant insists that the statute in question goes too far because it prohibits advertising of the described character, although it may be truthful. He contends that the superiority he advertises exists in fact, that by his methods he is able to offer low prices and to render a beneficial public service contributing to the comfort and happiness of a large number of persons.

The State court defined the policy of the statute. The court said that while, in itself, there was nothing harmful in merely advertising prices for dental work or in displaying glaring signs illustrating teeth and bridge work, it could not be doubted that practitioners who were not willing to abide by the ethics of their profession often resorted to such advertising methods "to lure the credulous and ignorant members of the public to their offices for the purpose of fleecing them." The legislature was aiming at "bait advertising," "Inducing patronage," said the court, "by representations of 'painless dentistry,' 'professional superiority,' 'free examinations,' and 'guaranteed' dental work" was, as a general rule, "the practice of the charlatan and the quack to entice the public."

We do not doubt the authority of the State to estimate the baleful effects of such methods and to put a stop to them. The legislature was not dealing with traders in commodities, but with the vital interest of public health, and with a profession treating bodily ills and demanding different standards of conduct from those which are traditional in the competition of the market place. The community is concerned with the maintenance of professional standards which will insure not only competency in individual practitioners, but protection against those who would prey upon a public peculiarly susceptible to imposition through alluring promises of physical relief. And the community is concerned in providing safeguards not only against deception, but against practices which would tend to demoralize the profession by forcing its members into an unseemly rivalry which would enlarge the opportunities of the least scrupulous. What is generally called the "ethics" of the profession is but the consensus of expert opinion as to the necessity of such standards.

It is no answer to say, as regards appellant's claim of right to advertise his "professional superiority" or his "performance of professional services in a superior manner," that he is telling the truth. In framing its policy the legislature was not bound to provide for determinations of the relative proficiency of particular practitioners. The legislature was entitled to consider the general effects of the practices which it described, and if these effects were injurious in facilitating unwarranted and misleading claims, to counteract them by a general rule even though in particular instances there might be no actual deception or misstatement. . . .

The judgment is affirmed.
Judgment affirmed.

PSITTACOSIS

The October issue of CALIFORNIA AND WESTERN MEDICINE, on pages 252, 257 and 260 printed articles on psittacosis, reporting therein two Santa Barbara cases.

The San Francisco *Chronicle* of October 10 called attention to a San Francisco case in the following article:

MAN DIES AND TWO TREATED FOR PARROT FEVER

*Officials Ban Bird Sales to Halt Disease;
"Bootleg" Bird Blamed*

One death from psittacosis (parrot fever) and two suspected cases in those who attended the victim, were reported yesterday to Dr. J. C. Geiger, Director of Health, who took swift steps to confine the disease.

Vincent W. Ross, 308 Fell Street, is the victim. He died at San Francisco Hospital early yesterday and within a few hours his daughter, Isabel, twenty, was admitted to the isolation ward, suffering from a suspected case.

Dr. T. P. Bodkin, 679 Page Street, who attended Ross when he first became ill with the baffling disease, is also ill, but his case has not been specifically diagnosed.

Parrots in Home

Ross is believed to have become ill from two "unlicensed" parrots in his home. Doctor Geiger said Ross was employed at Buker's bird store, 1170 Market Street. The owners of the store denied Ross had been employed there. They declined to make a statement.

Doctor Geiger described Ross's birds as "bootlegged parrots." He said they are supposed to bear a small leg tag certifying that they have been inspected by the State Board of Health, but that one bird had no tag and the other wore a fake tag.

The birds were killed, but gave negative laboratory results for psittacosis.

Doctor Geiger yesterday issued an order clamping down on the sale of all parrots and parakeets in San Francisco. As a first move his inspectors visited all pet-stores and placed seals on the cages of the birds.

Rare Disease

The health director said that parrot owners need not fear their pets, especially if they have been tested, but that many illegal birds have been bootlegged from Southern California, which has been a focus of the disease in recent years.

Ross was entered at the San Francisco Hospital supposedly suffering from pneumonia. His quick death brought the suspicion of psittacosis, and his background confirmed it. Miss Ross's case was closely studied, and Doctor Geiger said if was established as parrot fever she would be given serum treatment. Doctor Bodkin was not seriously ill.

Psittacosis is communicable from animals to men, more rarely from one human to another. It has been sporadic in California for some years, but it is comparatively rare.

Doctor Geiger issued a request that all persons who have bought parrots or parakeets within the last thirty days to communicate at once with the Industrial Hygiene Department of the Department of Health.

DISCONTENTMENT OVER SOCIAL INSURANCE DEFICITS IN FRANCE

The social insurance law [in France] is now five years old, but from all sides come complaints that it has not proved to be the success that was expected. In attempting to balance its budget, the [French] government has planned to save 400,000,000 francs (about \$25,000,000) annually through economies in the administration of the law. One of the members of the chamber of deputies has asked for an emergency revision of the law because the premiums that insured workers are obliged to pay are a burden hard to bear. More than 4,000,000,000 francs (about \$250,000,000) is taken "out of the pockets of employers and employees every year and most of it is stowed away (hoarded) in the sinking funds of the various organisms of the law," according to this legislator. The premiums must be reduced in line with a general effort to lower the cost of living in France.

Finally, in the *Siecle Médical* of recent date appears an article entitled "a decisive change," which states that one of the chief objectives of the social insurance law, an effort to prevent disease by better sanitary organization of the country, is at last in the first stages of fulfillment. One is also much concerned about deficits in the budgets of the primary distributing agencies, or "caisses," of the social insurance law. These collect the premiums from the employers and employees and disburse benefits for illness, maternity cases and deaths. These "caisses primaires" insure themselves in a sort of central government agency termed the "Union of reinsurance."

At a recent meeting of all of these reinsurance societies it was found that the "caisses primaires" were in a bad way financially and that surely next year, if not already this year, there would be deficits.

These "caisses primaires" during 1930-1931 distributed only 40 per cent of their income, whereas in 1934 the proportion rose to 89.5 per cent. The average premium dropped from 70 francs (\$3.75) a month in 1930-1931 to 63.7 francs in 1934, or about 10 per cent. This drop in revenue is more marked in the departments outside Paris than in the latter city. The reverse is true of the disbursements.

Out of 103 of the "caisses primaires" (primary collecting and distributing agencies) insuring 1,220,000 workers, thirty-nine are in deficit for sickness insurance, seventeen for maternity insurance and nineteen for death benefits. These financial difficulties will be combated in the future by the Reassurance Union lending money on more liberal and longer terms to the caisses primaires. As stated in previous letters,